



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

VANDYKE JOHNSON,

Plaintiff,

-against-

CITY OF NEW YORK, et al.,

Defendants.

20-CV-3083 (GBD) (BCM)

ORDER OF SERVICE

BARBARA MOSES, United States Magistrate Judge.

Service on Defendant Sheena Blaise

By Order dated October 29, 2020 (Dkt. No. 14), the Hon. George B. Daniels, United States District Judge, instructed the New York City Law Department (Law Department), as attorney for and agent of the New York City Administration for Children's Services (ACS), to provide plaintiff with the identity of the Jane Doe defendant, an employee of ACS, and instructed plaintiff to file a second amended complaint, naming the Jane Doe defendant, within thirty days of receiving that information. By letter dated December 23, 2020 (Dkt. No. 22), the Law Department identified the Jane Doe defendant as Sheena Blaise, who may be served at 55 West 125th Street, New York, NY 10027. Plaintiff thereafter filed a Second Amended Complaint naming Sheena Blaise as a defendant. (Dkt. No. 25 ¶ 7.)

Because plaintiff has been granted permission to proceed in forma pauperis (IFP), he is entitled to rely on the U.S. Marshals Service to effect service. *Walker v. Schult*, 717 F.3d 119, 123 n.6 (2d Cir. 2013); *see also* 28 U.S.C. § 1915(d) ("The officers of the court shall issue and serve all process . . . in [IFP] cases."); Fed. R. Civ. P. 4(c)(3) (the court must order the Marshals Service to serve if the plaintiff is authorized to proceed IFP).

To allow plaintiff to effect service on defendant Sheena Blaise through the U.S. Marshals Service, the Clerk of Court is instructed to fill out a U.S. Marshals Service Process Receipt and Return form ("USM-285 form") for defendant Blaise. The Clerk of Court is further instructed to

issue a summons and deliver to the Marshals Service all the paperwork necessary for the Marshals Service to effect service upon defendant Blaise.

Defendants' Answer Deadline Extension

Defendants City of New York, Diana Alama, and Commissioner David A. Hansell, with plaintiff's consent, request that their deadline to answer or otherwise responded to the Second Amended Complaint be extended until 21 days after defendant Blaise has been served, which will "likely obviate the need for defendants to submit multiple responsive pleadings." (Dkt. No. 26.) The request is hereby GRANTED.

Conclusion

The Clerk of Court is respectfully directed to mail a copy of this order to plaintiff.

The Clerk of Court is further instructed to complete a USM-285 form with the service address for defendant Sheena Blaise, and deliver to the U.S. Marshals Service all documents necessary to effect service on defendant Blaise.

The Clerk of Court is further instructed to close the letter-motion at Dkt. No. 26.

Dated: New York, New York
January 12, 2021

SO ORDERED.



BARBARA MOSES
United States Magistrate Judge